

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) No. 7607/2012**

% **29th August , 2013**

MS. RANJANA Petitioner
Through: Mr. Yakesh Anand, Advocate.

VERSUS

UNION OF INDIA AND ANR. Respondents
Through: Mr. Kirti Uppal, Senior Advocate
with Mr. Shadman Ali, Advocate for
respondent No.2.

CORAM:
HON'BLE MR. JUSTICE VALMIKI J.MEHTA

To be referred to the Reporter or not?

VALMIKI J. MEHTA, J (ORAL)

1. Petitioner was one of the aspirants for the posts of Management Trainee (General), which were advertised by the respondent No.2-Food Corporation of India. Petitioner was an SC candidate.

2. In response to the RTI query, the petitioner was informed that she has obtained a total of 48.78 marks and the last selected candidate in the SC category had 50.67 marks i.e petitioner is considerably below the cut-off marks for appointment in the SC category. This letter of the respondent

No.2 informing the petitioner the aforesaid details, is dated 4.6.2012, and the same reads as under:-

“No.E.VI/41(5)/RTI/2012-NZ/143

Dated 04.06.2012

Ms. Ranjana
L-131, Sarojini Nagar,
New Delhi-110023

(REGD POST/RTI Matters)
(Delivered to Addressee only)

Sub:- Information sought under RTI Act, 2005.... regarding.

Sir,

Please refer to your RTI application dated 22.03.2012 and appeal at 19.05.2012.

The information sought by you in your RTI application has been received partly from Recruitment Agency vide its letter dated 14.05.2012 and as per direction of the GM (P), the same is given point-wise as follows:

1) Yes, the Applicant (Roll no.261120098) had appeared in GD and obtained 6.0 marks out of total 10 marks.

2) Yes, the Applicant (Roll no.261120098) had appeared in Interview and obtained 7.0 marks out of total 10 marks.

3) The attendance sheet of candidates who appeared in GD/Interview on 11.07.2011 is not available in this office. The recruitment agency has been requested to provide the same.

Further, as per information now obtained from the recruitment agency, it is informed that the candidate has obtained 46 marks out of 90. The 70% weightage marks for written test is 35.78. Thus, total marks obtained by her after adding weightage marks obtained in written exam as well as GD and interview (35.78+6+7) is 48.78. The cut-off marks for the post MT (Genl) in respect of General/OBC/Supreme Court & ST category is 51.78, 50.67 & 45.78 respectively.

Yours faithfully

DGM (P-I)/CPIO”

3. The annexures filed by the petitioner herself show that in the general category first cut-off marks were 53.22, and which as per the first waiting list came down to 51.89 and in the second waiting list to 51.78. In the SC category the cut-off marks for the first list were 51.33 and which in the first waiting list came down to 50.67 and in the second waiting list it came down to 50.33. Therefore, whether for the general category or for the SC category petitioner is not qualified because the cut-off marks for the general category were 51.78 and for the SC category were 50.33, and the petitioner only had 48.78 marks.

4. I may for the sake of completion of narration state that respondent No.2 was contesting the educational qualification of the petitioner, but I need not go into the issue because the petitioner is otherwise found not to have obtained cut-off marks for getting appointment.

5. In view of the above, writ petition is dismissed, leaving the parties to bear their own costs.

AUGUST 29, 2013
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VALMIKI J. MEHTA, J.